

04-07-2007 11:17:44 AM From:

617-577-7288

7-248 P 01/03/2008 P-128

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

X

THE ANNUITY, WELFARE, APPRENTICESHIP SKILL  
IMPROVEMENT & SAFETY FUNDS of the  
INTERNATIONAL UNION OF OPERATING ENGINEERS,  
LOCAL 15, 15A, 15C and 15D, AFL-CIO, by its TRUSTEES  
JAMES T. CALLAHAN, LYNN A. MOUREY, ROBERT  
SHAW and RUSSELL SHAW, and JOHN and JANE DOE,  
as Beneficiaries of the ANNUITY, WELFARE and  
APPRENTICESHIP SKILL IMPROVEMENT & SAFETY  
FUNDS of the INTERNATIONAL UNION OF OPERATING  
ENGINEERS, LOCAL 15, 15A, 15C and 15D, AFL-CIO.

STIPULATION  
EXTENDING TIME TO  
ANSWER COMPLAINT

07-CIV-9906 (TPG)

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 1/3/08

Plaintiffs:

-against-

MODERN CONTINENTAL CONSTRUCTION CO., INC.

Defendant:

X

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorney  
of record for the Plaintiffs and Defendant in the above-captioned matter, that the time for Defendant  
MODERN CONTINENTAL CONSTRUCTION CO., INC. to answer the Complaint in the above  
captioned action is extended up to and including January 31, 2008. Said Defendant waives any defense  
based upon the lack of personal jurisdiction.

Dated: Hastings-on-Hudson, New York  
December 29, 2007

BRADY McGUIRE & STEINBERG, P.C.

James M. Steinberg  
By: James M. Steinberg (JS-3515)  
Attorneys for Plaintiffs  
603 Warburton Avenue  
Hastings-on-Hudson, New York 10706  
(914) 573-4293

SO ORDERED:

Thomas P. Griesa, U.S.D.J.

1/3/08

By: Terri Powers

Terri Powers, Esq.  
General Counsel -- Modern Continental  
175 Purchase Street  
Boston, MA 02110  
(617) 310-3826